

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

W.R. Grace, *et al.*
Debtor(s)

Bankruptcy No. 01-1139-JKF
Chapter 11
Jointly Administered

Related to Doc. No. 30671, Motion for Entry of an Order Appointing Roger Frankel as the Successor Legal Representative for Future Asbestos Personal Injury Claimants *Nunc Pro Tunc* to May 16, 2013; Doc. No. 5645, Order Granting Application of Debtors Pursuant to 11 U.S.C. §§ 105, 327 and 524(g)(4)(B)(i), for the Appointment of a Legal Representative for Future Asbestos Claimants; Doc. No. 30681, Interim Order Appointing Roger Frankel as Successor Legal Representative for Future asbestos Personal Injury Claimants *Nunc Pro Tunc* to May 16, 2013

**AMENDED INTERIM ORDER APPOINTING ROGER FRANKEL AS SUCCESSOR
LEGAL REPRESENTATIVE FOR FUTURE ASBESTOS PERSONAL
INJURY CLAIMANTS *NUNC PRO TUNC* TO MAY 16, 2013**

AND NOW, this 30th day of **May, 2013**, **WHEREAS** David T. Austern, the Asbestos Personal Injury Future Claimants' Representative ("FCR") originally appointed by the Court in 2004, passed away on May 16, 2013;

WHEREAS Roger Frankel had been counsel to the FCR until Mr. Austern's death and therefore is extremely familiar with all aspects of this case;

WHEREAS due to the exigencies of the case including but not limited to the fact that oral argument before the Court of Appeals for the Third Circuit is scheduled for June 17, 2013, and therefore it is advisable that a successor FCR be appointed;

It is **ORDERED** that Roger Frankel is hereby appointed, on an interim basis, as Legal Representative for Future Asbestos Personal Injury Claimants ("Future Claimants' Representative" or "FCR") *nunc pro tunc* to May 16, 2013, with the same rights and powers provided to David T. Austern pursuant to the Order Granting Application of Debtors Pursuant to 11 U.S.C. §§ 105, 327 and 524(g)(4)(B)(i), for the Appointment of a Legal Representative for Future Asbestos Claimants, entered May 24, 2004, at Docket No. 5645.

It is **FURTHER ORDERED** that if no objections are timely filed by the objection date of **June 14, 2013, at 4:00 p.m. Eastern**, this **Interim Order** shall become **final** without further notice.


Judith K. Fitzgerald **rmab**
United States Bankruptcy Judge